

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ALBERTO VILAR and GARY TANAKA

Defendants.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2-21-14

No. 05 Cr. 621 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of the Mandate from the Court of Appeals. Accordingly, IT IS HEREBY ORDERED THAT Defendant Vilar shall appear for resentencing on April 17, 2014 at 10:00 a.m. Defendant Tanaka shall appear for resentencing on April 17, 2014 at 2:00 p.m. IT IS FURTHER ORDERED THAT Defendants shall make their submissions no later than March 24, 2014. The government shall make its submissions no later than March 31, 2014.

The Court determines that an updated presentence report is not required. *See United States v. Quintieri*, 306 F.3d 1217, 1234 (2d Cir. 2002) ("Rule 32 does not require an updated PSR in the event of resentencing if, for example, the parties are given a full opportunity to be heard and to supplement the PSR as needed." (internal quotation marks omitted)). Accordingly, IT IS FURTHER ORDERED THAT the parties shall include any objections or proposed supplements to the original presentence report in their sentencing submissions.

SO ORDERED.

Dated: February 21, 2014
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE